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Attorneys for Defendants Navient Corporation;
Navient Solutions, LLC; Earnest, LLC; and The
Navient Corporation Executive Severance Plan for Senior
Officers

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LOUIS BERYL,

Plaintiff,

vs.

NAVIENT CORPORATION, NAVIENT
SOLUTIONS, LLC, EARNEST, LLC, and the
NAVIENT CORPORATION EXECUTIVE
SEVERANCE PLAN FOR SENIOR
OFFICERS EFFECTIVE MAY 1, 2014

Defendants.

Case No.: 3:20-cv-05920-LB

JOINT CASE MANAGEMENT
STATEMENT

DATE: October 3, 2022

Hon. Laurel Beeler

1 Plaintiff Louis Beryl and Defendants Navient Corporation, Navient Solutions, LLC, Earnest,
2 LLC, and The Navient Corporation Executive Severance Plan for Senior Officers (collectively
3 “Defendants”) submit this Joint Case Management Statement and Proposed Order to address issues
4 raised by the Court’s Order dated October 2, 2022 [Dkt. No. 50]:

5 1. The Parties believe they are in compliance with the Court’s Case Management and
6 Pretrial Orders. Per the Court’s prior Order [Dkt. No. 48], the Parties submitted their Joint
7 Proposed Pretrial Order on September 26, 2022 [Dkt. No. 49]. Attached as exhibits to that filing
8 are the Parties’ joint exhibit list, witness lists, proposed jury instructions, proposed *voir dir*
9 questions, proposed jury instructions, Rule 26(a)(3) disclosures, and Joint Proposed Findings of
10 Fact and Conclusions of Law. Chambers copies of the documents were delivered to the Court on
11 September 27, 2022.

12 2. On September 30, 2022, the Parties arranged for the delivery of the trial exhibits to
13 the Court. This morning, counsel for the Parties spoke with a deputy clerk and were advised that
14 the trial exhibits binder delivered on September 30th could not be located. The Parties are,
15 therefore, arranging for a new trial exhibits binder to be delivered as soon as possible.

16 3. The Parties acknowledge that the following documents have not been filed or lodged
17 with the Court: (1) motions *in limine*; (2) signed stipulations; (3) Copies of Deposition Designations
18 for witnesses appearing only by designation; (4) Copies of Designation of Interrogatories and
19 Admissions; and (5) trial briefs. The reason items (1) through (4) have not been filed is that neither
20 Party intends to make a motion *in limine*, there are no signed stipulations between the Parties, no
21 witness will be testifying solely by designation, and the Parties do not plan to introduce
22 interrogatory responses or admissions into evidence. The Parties have not filed trial briefs because
23 they read the Court’s orders as requiring trial briefs only for disputed legal issues and the Parties do
24 not believe that such issues exist in this case. If the Court would like the Parties to file trial briefs,
25 they will do so promptly.

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1 4. Similarly, if the Court requires additional pretrial filings by Parties they will
2 promptly prepare and file whatever the Court requests.

3 Dated: October 3, 2022

VENTURA HERSEY & MULLER LLP

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5 By: /S/ Daniel J. Muller
6 DANIEL J. MULLER
Attorneys for Plaintiff Louis Beryl

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8 Dated: October 3, 2022

JACKSON LEWIS P.C.

9
10 By: /S/ Donald P. Sullivan
11 DONALD P. SULLIVAN
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